

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

As representative of

THE COMMONWEALTH OF PUERTO
RICO, *et. als.*

Debtors¹

PROMESA

Title III

Case No. 17 BK 3283-LTS

(Jointly Administered)

This filing relates to the Commonwealth,

HTA and PBA

MOTION SUBMITTING CERTIFIED TRANSLATIONS

TO THE HONORABLE COURT:

COMES NOW Aireko Construction, LLC (“Aireko”), through its undersigned counsel, and respectfully states and requests:

1. On January 27, 2023, the Commonwealth of Puerto Rico, the Puerto Rico Highways and Transportation Authority, and the Puerto Rico Buildings Authority (the “PBA”), represented by the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), filed their Five Hundred Sixty-First Omnibus Objection (Non-Substantive) to Deficient Claims, objecting Aireko’s proof of claim Kroll Number 174166, sustaining that it fails to provide

¹ The Debtors in these Title III cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5233 (LTS)) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

any basis or supporting documentation for its filing, such that the debtors are unable to determine whether Aireko has a valid claim against the PBA or any of the other Title III debtors (the Objection”) [ECF No. 23355]

2. On February 24, 2023, Aireko filed its answer to the Objection attaching thereto documents in the Spanish language. (the “Answer”) [ECF No. 23627]

3. Contemporaneously therewith Aireko filed a motion for a 30-day of extension of time for the filing of certified translations of the documents in Spanish supporting the Answer (ECF No. 23626), granted by the Court on February 28, 2023 (the “Order”) [ECF No. 23645]

4. In compliance with the Order, Aireko is attaching hereto all the Exhibits originally filed, including those in Spanish, which are accompanied with their certified translation to the English language as follows:

- I. Copy of amended complaint filed in the case styled Aireko Construction, LLC v. Autoridad de Edificios Públicos del Estado Libre Asociado de Puerto Rico, Civil No. KCD2016cv0937 (602) for breach of contract and collection of money, filed with the Court of First Instance of Puerto Rico, Superior Section of San Juan
- II. Aireko’s motion for summary judgment in Case No. KCD2016cv0937 and attachments thereto as follows:
 - A) Contract CO0036 (2011-2012) dated February 23, 2012
 - B) Amendment to Contract dated March 8, 2012
 - C) Amendment to Contract dated January 22, 2013
 - D) Certification #2 (Statement A1-24-080022) dated August 23, 2012 and related documents
 - E) Certification #3 (Statement A1-24-020022) dated January 22, 2014 and related documents
 - F) Certification #4 Retainage (Statement A1-26-12046) for the period ending June 30, 2012 and related documents

- G) Certification #5 (Statement A1-24-080022) dated September 18, 2013 and related documents
- H) Certification #6 (Statement A1-24-080023) dated May 14, 2014
- I) Certification #7 (Statement A1-24-08024) dated September 13, 2013 and related documents
- J) Certification #8 (Statement A1-24-08025) dated September 13, 2013 and related documents
- K) Supporting documents as to interest due on Certifications (Statements A1-26-08065, A1-26-12020 and A1-24-080027)
- L) Certification #9 (Statement A1-24-08098) dated May 14, 2014 and related documents
- M) Documents in support of Certifications (Statements A1-08057, A1-26-12022 and A1-27-04029)

WHEREFORE, it is respectfully requested that an order be entered directing that the exhibits attached hereto be made part of the Answer, determining that Aireko has complied with the Order, in the form of the order attached hereto.

CERTIFICATE OF SERVICE: We hereby certify that on this same date we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants.

San Juan, Puerto Rico this 20th day of March 2023

<u>s/Fernando E. Agrait</u> USDC-PR 127212 701 Avenida Ponce de León Edificio Centro de Seguros Oficina 414 San Juan, Puerto Rico 00907 Tel. 787-725-3390/3391 Fax: 787-724-0353 E-mail: agraitfe@agraitlawpr.com	<u>s/Charles A. Cuprill-Hernandez</u> USDC-PR 114312 Charles A. Cuprill, P.S.C., Law Offices 356 Fortaleza Street - Second Floor San Juan, PR 00901 Tel.: 787-977-0515 Fax: 787-977-0518 E-mail: cacuprill@cuprill.com
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